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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/661,628	09/15/2003	Shien-Te Huang		7919

7590 08/30/2004
Shien-Te Huang
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TAIWAN

EXAMINER

LEV, BRUCE ALLEN

ART UNIT PAPER NUMBER

3634

DATE MAILED: 08/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/661,628

Applicant(s)

HUANG, SHIEN-TE

Examiner

Bruce A. Lev

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

BRUCE A. LEV
PRIMARY EXAMINER

DETAILED ACTION

Claim Rejections - 35 USC § 112

Claims 1-7 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As concerns claims 1 and 2, there is an inconsistency between the language in the preamble and certain portions in the body of the claims, thereby making the scope of the claims unclear. For example, the preamble clearly indicates that the subcombination of a "take-up drive mechanism" is being claimed. However, the body of the claim positively recites a "curtain blind", e.g., "having a... curtain blind" (claim 1, line 2); "the curtain blind comprises" (claim 1, line 4); and "secured below the head rail" (claim 2, line 4), which indicates the claims as being drawn to a combination of the "take-up drive mechanism" and the "curtain blind". Therefore, the applicant is required to clarify what the claims are intended to be drawn to, i.e., either the "take-up drive mechanism" alone or in combination with the "curtain blind", and to present the claims with the language which is consistent with the invention. The applicant should note that "*adapted to be*" language may be appropriate if claiming the "take-up drive mechanism" alone (i.e., "adapted to be secured to").

As also concerns claim 1, the phrase "slat style" is vague and indefinite.

As also concerns claims 3 and 5, it is not clear as to how the transmission amplifier can be "actuating a *turntable*" or "actuates a *first gear*" since it has been set

forth in claim 1 that the transmission amplifier actuates a "coupling drive", therefore the claims as rendered as vague and indefinite.

As also concerns claim 4, the phrase "the inner-ring gear" lacks antecedent basis and is therefore vague and indefinite. Further, the phrase "bias meshing method" is not understood and therefore is vague and indefinite. The applicant should note that a method limitation is NOT given patentable weight within an apparatus claim.

As also concerns claim 6, the phrases "the first gear" and "the central shaft gear" lack antecedent basis and are therefore vague and indefinite.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over ***King et al 5,092,387 in view of Cheng 6,379,276***.

King et al set forth a curtain take-up drive mechanism comprising a power end comprising a slat tilt rod, an upper portion coupling to a flexible coupling shaft, connected thereon by a worm engaging with a worm gear, which is connected to a drive shaft. ***What King et al do not set forth*** is the transmission amplifier actuating the drive shaft and including a turntable having shaft pins, satellite gears, a central shaft gear, and an inner ring gear. However, ***Cheng teaches*** the use of a transmission amplifier

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actuating the drive shaft of a curtain take-up mechanism and including a turntable having shaft pins, satellite gears, a central shaft gear, and an inner ring gear.

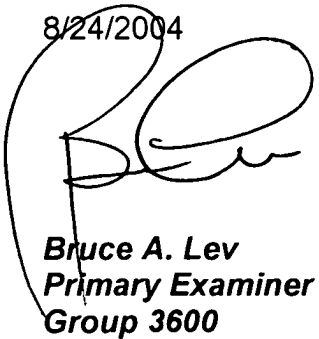
Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the take-up drive mechanism of Kelly by incorporating a transmission amplifier including a turntable having shaft pins, satellite gears, a central shaft gear, and an inner ring gear, as taught by Cheng, in order to offer means to change the speed and direction as to which the take up mechanism actuates the curtain.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bruce A. Lev whose telephone number is (703) 308-7470.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-2168.

8/24/2004



Bruce A. Lev
Primary Examiner
Group 3600